

REMARKS

Claims 1, 3-6, 13, 18 and 20 have been amended. Accordingly, claims 1 and 3-27 remain in the application. Reconsideration and allowance of the claims is respectfully requested.

Claims 1, 3-6, 13-17 and 19 are rejected under 35 U.S.C. § 102(b) as being anticipated by Abe. Abe discloses a brake member bracket having a concave inner surface defining a switch unit mounting recess 23 and an electrical switch unit inserted in the concave inner surface. A switch top cover 38 is screwed onto the brake lever bracket 5 to cover the concave inner surface. The switch unit 20 of Abe includes two buttons 35 and 36. Claim 1, as amended, recites "wherein the recess has a shape which conforms to the outer periphery of the operation control button." Independent claims 3, 4, 5, 6, 13, 18 and 20 have a similar recitation. The only portions of Abe that are movable within recess 23 are buttons 35 and 36. The Abe recess 23 does not have a shape that conforms to the shape of the outer periphery of buttons 35 and 36. Moreover, there is no suggestion in Abe to conform the recess 23 to the shape of the outer periphery of the control buttons 35, 36. The only structure in Abe to conform to the recess 23 is the switch bottom case 31; however, this is neither an operation control button nor is it moveable within recess 23. Accordingly, Abe does not disclose or suggest a recess having a shape that conforms to the shape of the outer periphery of the operation control button(s) 35, 36.

Accordingly, claims 1, 3-6, 13, 18 and 20 are patentably distinguishable over Abe. Furthermore, none of the other cited references (Seimitsu, Hill or Iteya) disclose a recess having a shape which conforms to the outer periphery of the operation control button. Claims 7-12, 14-17, 19 and 21-26 depend either directly or indirectly from one of the independent claims and contain additional features that further distinguish the claims from the cited references.

Claim 17 recites "wherein the casing defines a cable mounting recess therein." The Office Action does not specify why claim 17 is rejected over Abe. The Office Action identifies a notch 84 formed on the edge of the switch top cover 38 of Abe as a cable mounting recess. However, Abe does not disclose a cable mounting recess defined in the casing of the bicycle control device. Claim 19 further adds "wherein a portion of the connecting cable is mounted in the cable mounting recess." Abe does not disclose a portion of the connecting cable mounted in the cable mounting recess. Accordingly, claims 17 and 19 are further distinguishable from the cited references.

Claims 7-12, 18 and 27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Abe in view of Seimitsu, Hill, or Iteya.

Claim 8 recites the operation control button having an attachment arm press fitted into the hole at the bottom surface of the switch mounting recess. The Office Action states that Abe

discloses a switch mounting recess defining a hole (23) therein, the control switch (20) having an attachment arm (31) wherein the attachment arm is press fitted into the hole of the switch mounting recess. The Office Action defines element as the claimed hole, but does not define what the alleged switch mounting recess is in Abe. Is element 23 the hole or the recess? It cannot be both.

Applicant respectfully submits that Abe does not disclose a hole at the bottom surface of the switch mounting recess. Furthermore, Abe does not disclose an operation control button having an attachment arm. Finally, even if Abe did disclose a hole at the bottom surface of the switch mounting recess (which it does not) Abe does not disclose an attachment arm press fitted into the hole at the bottom surface of the switch mounting recess. Accordingly, claim 8 includes additional features that distinguish the invention from the cited references.

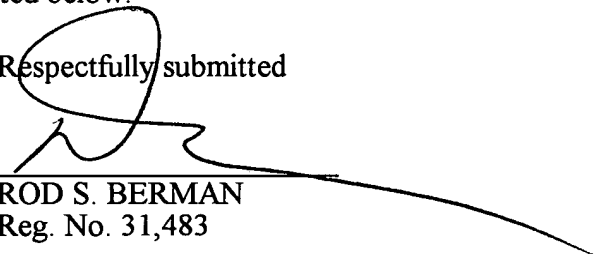
Claim 9 recites an "elastic outer cover at least partially surrounding the control switch wherein the elastic outer cover is press fitted into the switch mounting recess." Abe does not disclose an elastic outer cover at least partially surrounding the control switch. The push buttons (35, 36) equated to the elastic outer cover do not surround the control switch. Furthermore, the push buttons (35, 36) are positioned in the switch mounting recess and not press fitted therein. There is a difference between positioning and press fitting. Claim 27 further adds "wherein the elastic outer cover is in frictional contact with and surrounded by a recess wall." Abe also does not disclose an elastic outer cover in frictional contact with and surrounded by a recess wall. Accordingly, claims 9 and 27 are further distinguishable from the cited references.

Claim 10 recites "a retention ring configured to restrict the movement of the control switch." Claim 11 further specifies that the retention ring is fastened to the casing. The Office Action identifies the switch cover 38 of Abe as the retention ring. In the rejection of claim 27, the Office Action equates element 38 to the claimed recess wall. Element 38 cannot be both. Applicant submits that switch cover 38 is neither a retention ring or recess wall. It certainly is not a ring. Switch cover 38 simply covers the rest of switch assembly. It does not restrict the movement of the control switch.

In view of the foregoing amendments and remarks, Applicant respectfully submits that the present application is in condition for allowance. Reconsideration of all rejections and a notice of allowance are respectfully requested. Even though the Office Action is final, Applicant believes this amendment should be entered because it requires no further search and places the claims in condition for allowance, or if the Examiner disagrees, places the case in better form for appeal. Reconsideration of all rejections and a notice of allowance are respectfully requested. Should there be any questions regarding this application, Examiner Smith is invited to contact the undersigned attorney at the telephone number listed below.

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Date

Respectfully submitted



ROD S. BERMAN
Reg. No. 31,483

JEFFER, MANGELS, BUTLER & MARMARO LLP
Seventh Floor
1900 Avenue of the Stars
Los Angeles, CA 90067
Tel: (310) 203-8080

VERSION WITH MARKINGS

1. (Twice Amended) A bicycle control device for holding a computer switch having an operation control button with an outer periphery having a shape, the device comprising:

a top surface defining a recess therein, wherein the operation control button is movable within the recess, and wherein the recess has a shape which conforms to the shape of the outer periphery of the operation control button.

2. Canceled

3. (Twice Amended) A bicycle shift control device for holding a computer control switch having an operation control button with an outer periphery having a shape, the device comprising:

a top surface defining a recess therein, wherein the operation control button is movable within the recess, and wherein the recess is dimensioned to receive the computer control switch and has a shape conforming to the shape of the outer periphery of the operation control button.

4. (Twice Amended) A bicycle brake control device for holding a computer control switch having an operation control button with an outer periphery having a shape, the device comprising:

a top surface defining a recess therein, wherein the operation control button is movable within the recess, and wherein the recess is dimensioned to receive the computer control switch and has a shape conforming to the shape of the outer periphery of the operation control button.

5. (Twice Amended) A control device for holding a computer control switch having an operation control button with an outer periphery having a shape, the device comprising:

a brake control device;
a shift control device integrated with the brake control device;
a casing encompassing the brake control device and the shift control device, wherein the casing defines a recess therein; and
wherein the operation control button is movable within the recess, and wherein the recess is dimensioned to receive the computer control switch and has a shape conforming to the shape of the outer periphery of the operation control button.

6. (Twice Amended) A bicycle control device, comprising:
a casing defining a switch mounting recess; and
a control switch mounted in the switch mounting recess, wherein the control switch comprises an operation control button having an outer periphery having a shape, wherein the operation control button is movable within the switch mounting recess, and the switch mounting recess has a shape conforming to the shape of the outer periphery of the operation control button.

7. The bicycle control device of claim 6 wherein the control switch is attached in the switch mounting recess by an adhesive.

8. The bicycle control device of claim 6 wherein the switch mounting recess

comprises a bottom surface and the bottom surface defines a hole therein, the operation control button having an attachment arm made of an elastic material, wherein the attachment arm is press fitted into the hole of the switch mounting recess.

9. The bicycle control device of claim 6 further comprising an elastic outer cover at least partially surrounding the control switch wherein the elastic outer cover is press fitted into the switch mounting recess.

10. The bicycle control device of claim 6 further comprising a retention ring configured to restrict the movement of the control switch.

11. The bicycle control device of claim 10 wherein the retention ring is fastened to the casing.

12. The bicycle control device of claim 11 wherein the retention ring is threadingly engaged with the switch mounting recess.

13. (Twice Amended) A bicycle control assembly for holding a control switch for a computer, the control switch having an operation control button with an outer periphery having a shape, the bicycle control assembly comprising:

a control device having a casing defining a switch mounting recess therein;
wherein the switch mounting recess is dimensioned to receive the control switch and has a shape conforming to the shape of the outer periphery of the operation control button, and
wherein the operation control button is movable with the switch mounting recess.

14. The bicycle control assembly of claim 13 wherein the control device comprises a shift control device.

15. The bicycle control assembly of claim 13 wherein the control device comprises a brake control device.

16. The bicycle control assembly of claim 13 wherein the control device comprises a shift control device and a brake control device.

17. The bicycle control assembly of claim 13 wherein the casing defines a cable mounting recess therein, the cable mounting recess is in communication with the switch mounting recess and extending from the switch mounting recess.

18. (Twice Amended) A handlebar assembly controllable by the hand of a bicycle rider, comprising:
a handlebar having an end;
a hand grip attached to the end of the handlebar;
a control device attached to the handlebar proximal the hand grip such that the rider's hand can reach the control device while remaining on the hand grip, the control device defining a switch mounting recess therein;

a control switch mounted in the switch mounting recess of the control device, wherein the control switch comprises an operation control button having an outer periphery having a shape and the switch mounting recess has a shape conforming to the shape of the outer periphery of the operation control button, and wherein the operation control button is movable within the switch mounting recess;

a cycle computer attached to the handlebar, separate from the control device; and
a connecting cable electrically connecting the control switch to the cycle computer.

19. The handlebar assembly of claim 18, wherein the control device further defines a cable mounting recess therein in communication with the switch mounting recess, wherein the cable mounting recess extends from the switch mounting recess in the direction of the cycle computer, and wherein a portion of the connecting cable is mounted in the cable mounting recess.

20. (Twice Amended) A method of installing a control switch having an operation control button with an outer periphery having a shape, comprising the steps of:

providing a control switch and a control device defining a switch mounting recess therein, wherein the switch mounting recess is dimensioned to receive the control switch and has a shape conforming to the outer periphery of the operation control button, and wherein the operation control button is movable within the switch mounting recess; and

securing the control switch in the switch mounting recess.

21. The method of claim 20 wherein the step of securing the control switch comprises adhesively attaching the control switch to the switch mounting recess.

22. The method of claim 20 further comprising the steps of:

providing an attachment arm connected to the control switch, wherein the attachment arm comprises an elastic material;

providing a bottom surface of the switch mounting recess, wherein the bottom surface defines a hole therein; and

press fitting the elastic material into the hole in the bottom surface of the switch mounting recess.

23. The method of claim 20 further comprising the steps of:

providing an elastic outer cover surrounding the control switch; and
press fitting the elastic outer cover into the switch mounting recess.

24. The method of claim 20 further comprising the steps of:

providing a retention ring; and

attaching the retention ring to the control device in a manner that restricts the movement of the control switch.

25. The method of claim 24 wherein the step of attaching the retention ring to the control device includes fastening the retaining ring to a top surface of the control device.

26. The method of claim 24 wherein the step of attaching the retention ring to the

control device includes threadingly engaging the ring with the switch mounting recess.

27. The bicycle control device of claim 9 wherein the elastic outer cover is in frictional contact with and surrounded by a recess wall.